

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

IN RE: NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION STUDENT-
ATHLETE CONCUSSION INJURY
LITIGATION-SINGLE SPORT/SINGLE
SCHOOL (FOOTBALL)

MDL NO. 2492

Master Docket No. 16 C 8727

Hon. Judge John Z. Lee

Magistrate Judge David M. Weisman

This Document Relates to All Cases

**PLAINTIFFS' MOTION FOR APPOINTMENT
OF STEERING COMMITTEE**

Pursuant to the Court's Order approving the formation of a Plaintiffs Steering Committee, (dkt. 90), Plaintiffs in the above-captioned matter, through Lead Counsel Jay Edelson and Sol Weiss, respectfully submit this proposal for the creation and appointment of a 10-member Plaintiffs Steering Committee ("PSC"), as outlined further below.

The PSC will be charged with, at the direction of Jay Edelson and Sol Weiss ("Co-lead Plaintiffs' Counsel"), performing or delegating all pre-trial tasks necessary for the efficient and orderly prosecution and disposition of the claims consolidated before the Court, in a manner that avoids duplication of effort and controls fees and expenses. The responsibilities of the proposed PSC may include, but are not limited to: conducting and coordinating all pre-trial discovery-related matters; acting as the spokesperson for all plaintiffs at pretrial proceedings; coordinating responses to the Court and other parties for all pretrial proceedings, including jointly submitting, responding to, and arguing all motions within the sphere of the PSC; examining witnesses and introducing evidence at hearings; negotiating stipulations with defendants, subject to the Court's approval; considering and negotiating settlement; maintaining all appropriate pretrial files;

preparing periodic status reports on the work of the PSC; and all other tasks necessary to accomplish its responsibilities.

Plaintiffs propose and support the appointment of the following attorneys (from the following firms) to the PSC:

- Jeff Raizner, Raizner Slania LLP (Committee Chair¹)
- Rafey S. Balabanian, Edelson PC
- Larry E. Coben, Anapol Weiss
- Dwight Jefferson, Coats Rose PC
- Robert T. Dassow, Hovde Dassow & Deets LLC
- Anthony Tarricone, Kreindler & Kreindler LLP
- Janissa Strabuk, Tousley Brain Stephens PLLC
- Jill Manning, Steyer Lowenthal Boodrookas Alvarez & Smith LLP
- Gina Di Bella, Di Bella & Di Bella PC
- Eugene Egdorf, Shrader & Associates

The resumes and references for each of the applicants for the PSC are attached hereto as Exhibits A – J. As reflected in their respective submissions, the joint applicants are highly qualified to serve in the positions to which they seek appointment. Together, the members of the proposed PSC come from a variety of backgrounds and share significant and demonstrated experience in complex class actions, along with individual personal injury and mass tort litigation. The proposed PSC members have served in high-profile leadership positions as either lead or co-lead counsel or as members of plaintiffs' leadership committees in complex cases at both the state and federal level. And, importantly, each firm has the necessary resources and staff to carry out their leadership functions, and each proposed applicant is committed to work cooperatively and efficiently through the pendency of these matters.

Further, Plaintiffs propose the appointment of the PSC members for a period of one year.

¹ The Committee Chair of the PSC will vote to break any deadlocks between Co-lead Plaintiffs' Counsel (should any arise). The Committee Chair may also, at the direction of Co-Lead Plaintiffs' Counsel, delegate and assign duties to other members of the PSC and call meetings of the PSC.

At the end of the one-year appointment period, Plaintiffs propose that the Court re-open applications for membership to the PSC (and, at that time, hope and expect that the members proposed for appointment here will re-apply). In line with other MDLs, the one-year appointment period will provide the Court with an opportunity to consider the role that each appointee has undertaken in the consolidated pretrial proceedings of this MDL, what work each appointee has performed, and whatever other information that the applicant can provide to assist the Court in deciding whether it is appropriate to continue the particular appointee in his or her leadership position. *See, e.g., In re: Pradaxa (Dabigatran Etexilate) Products Liability Litigation*, No. 12-md-2385, dkt. 36 at 3-4 (N.D. Ill. Sept. 27, 2012) (discussing one-year term appointment and re-application process for attorneys appointed to leadership team).

WHEREFORE, and for the reasons set forth above, Plaintiffs respectfully request that the Court appoint Jeff Raizner, Rafey S. Balabanian, Larry E. Coben, Dwight Jefferson, Robert T. Dassow, Anthony Tarricone, Janissa Strabuck, Jill Manning, Gina Di Bella, and Eugene Egdorf as members of the Plaintiffs' Steering Committee.

Respectfully submitted,

Date: March 22, 2017

/s/ Jay Edelson
Jay Edelson
jedelson@edelson.com
EDELSON PC
350 North LaSalle Street, Suite 1300
Chicago, Illinois 60654
Tel: 312.589.6370
Fax: 312.589.6378

Sol Weiss
sweiss@anapolweiss.com
ANAPOL WEISS
One Logan Square
130 North 18th Street Suite 1600
Philadelphia, PA 19103
Tel: 215.735.2098

Fax: 215.875.7701

Interim Co-Lead Plaintiffs' Counsel

Shannon McNulty
smm@cliffordlaw.com
CLIFFORD LAW OFFICES
120 North LaSalle Street, 31st Floor
Chicago, Illinois 60602
Tel: 312.899.9090
Fax: 312.345.1565

Plaintiffs' Liaison Counsel

CERTIFICATE OF SERVICE

I, Jay Edelson, an attorney, certify that on March 22, 2017, I served the above and foregoing by causing true and accurate copies of such paper to be filed and transmitted to all counsel of record via the Court's CM/ECF electronic filing system.

/s/ Jay Edelson